

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11102 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

CHANDUBHAI A PATEL

Versus

STATE OF GUJARAT

Appearance:

MS MEGHA JANI for Petitioner

MR SAMIR J DAVE for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 27/02/2001

ORAL JUDGEMENT

#. Challenging the order of the Police Commissioner, Ahmedabad city dated 30-9-2000 under which the petitioner is detained as a dangerous person, learned counsel for the petitioner contended that the statements of the secret witnesses were verified on 28-9-2000 and 29-9-2000

and on 30-9-2000, this order has been passed.

#. Learned counsel for the petitioner submitted that this matter is squarely covered by the decision of this Court in the case of Kalidas C. Kahar vs. State of Gujarat & Ors. reported in 1993 (2) GLR 1659. Learned counsel for the respondents does not dispute this position, and as a result of which, this petition succeeds and the same is allowed.

#. In the result, this petition succeeds and the same is allowed. The order of detention of the petitioner dated 30-9-2000 is quashed and set aside. The petitioner Chandubhai A. Patel, the detenu, at present in Bhuj jail be set at liberty forthwith, if he is not required in any other case. Rule is made absolute. No order as to costs.

zgs/-